

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

FILED

2017 DEC -1 AM 10:34

NEWMAN APARTMENTS CIELO  
REVOCABALE TRUST,  
PLAINTIFF,

V.

COVINGTON SPECIALTY  
INSURANCE COMPANY, AND ENGLE  
MARTIN & ASSOCIATS INC.,  
DEFENDANTS.

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CAUSE NO. 1:17-CV-1046-LY

**ORDER**

Before the court are Defendant Engle Martin's Rule 12(b)(6) Motion to Dismiss (Dkt. No. 6), and Defendant Covington's Rule 12(e) Motion for a More Definite Statement, or in the Alternative, Motion to Dismiss Under Rule 12(b)(6) or 12(f) (Dkt. No. 8). On November 29, 2017, Plaintiff's First Amended Petition was filed (Dkt. No. 10). Accordingly,

**IT IS ORDERED** that Defendant Engle Martin's Rule 12(b)(6) Motion to Dismiss (Dkt. No. 6) is **DISMISSED WITHOUT PREJUDICE** to refiling.

**IT IS ORDERED** that Defendant Covington's Rule 12(e) Motion for a More Definite Statement, or in the Alternative, Motion to Dismiss Under Rule 12(b)(6) or 12(f) (Dkt. No. 8) is **DISMISSED WITHOUT PREJUDICE** to refiling.

SIGNED this 1st day of December, 2017.

  
LEE YEAKEL  
UNITED STATES DISTRICT JUDGE